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9 *Attorney for Defendant Enrique Martinez*

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11 UNITED STATES DISTRICT COURT

12 DISTRICT OF NEVADA

13 9 UNITED STATES OF AMERICA,

10 CASE NO.: 2:21-cr-0169-CDS-BNW

11 Plaintiff,

12 vs.

13 ENRIQUE MARTINEZ,

14 Defendant.

15  
16 DEFENDANT ENRIQUE  
17 MARTINEZ'S SECOND  
18 UNOPPOSED MOTION TO MODIFY  
19 CONDITIONS OF PRETRIAL  
20 RELEASE RELATED TO TRAVEL

21 COMES NOW, Defendant, ENRIQUE MARTINEZ, by and through his counsel of record,  
22 IVETTE AMELBURU MANINGO, ESQ. of The Law Offices of Ivette Amelburu Maningo, and  
23 hereby requests that this Court enter an order modifying conditions of pretrial release set by this  
24 Court that would allow Defendant Martinez to travel outside the State of Nevada with the prior  
25 approval of pretrial services. The government and the pretrial services officer for Ms. Martinez do

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1 not object to this motion. This motion is made and based upon the attached memorandum of points  
2 and authorities, the pleadings, and papers on file herein, and any argument to be entertained by the  
3 Court.

4 Respectfully submitted,

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7 /s/ Ivette Amelburu Maningo  
8 IVETTE AMELBURU MANINGO, ESQ  
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10 400 S. 4<sup>th</sup> St. Suite 500  
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13 Fax: (844) 793-4046  
14 Attorney for Defendant  
15 Enrique Martinez  
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**MEMORANDUM OF POINTS AND AUTHORITIES**

1           In the instant case, an indictment was filed on June 16, 2021. ECF No. 1. Defendant Enrique  
2 Martinez (“Mr. Martinez”) was charged with Conspiracy to Distribute a Controlled Substance in  
3 violation of 21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A)(viii), and 841(b)(1)(C) and with one count of  
4 Distribution of a Controlled Substance in violation of 21 U.S.C. §§ 841 (a)(1), (b)(1)(B)(ii).

5           Mr. Martinez’s initial appearance and arraignment occurred on June 22, 2021, at which time  
6 he plead not guilty to all counts. ECF No. 12. This Court entered a personal recognizance bond  
7 releasing Mr. Martinez under special conditions. ECF No. 15. Included among the various  
8 conditions of release for Mr. Martinez is that his travel is restricted to Clark County, Nevada. Id. at  
9 ¶ 3. Thereafter on November 5, 2021, the Court issued an order modifying some of Mr. Martinez’s  
10 conditions of release (as well as some related to codefendant Alejandra Enriquez-Atunez). EFC No.  
11 44. Specifically, Mr. Martinez’s pretrial release orders were modified to permit a limited scope of  
12 communication with codefendant Enriquez-Atunez for the purposes of facilitating the exchange of  
13 their daughters between parental households. Furthermore, the Court removed the conditions of  
14 curfew and Global Position Satellite (GPS) monitoring as to Mr. Martinez. All other conditions  
15 remained in full force and effect. EFC No. 44.

16           Then on July 22, 2022, the Court issued another order modifying Mr. Martinez’s travel  
17 conditions of release allowing him to travel out of the State of Nevada *for work-related purposes*  
18 with prior approval from pretrial services. EFC No. 61. More recently, Mr. Martinez was also  
19 permitted to travel to California to see his elderly mother who is ill. EFC No. 63 and 65. Mr.  
20 Martinez now respectfully request that his travel conditions be more broadly modified to allow him  
21 to travel outside the State of Nevada with prior approval from pretrial services. He would like to  
22 travel outside the State of Nevada as early as this coming weekend (September 23, 24, and 25) to  
23 spend his birthday with his elderly mother and to continue to help her recover from her recent  
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1 hospital stay.

2 A court releasing a defendant under 18 U.S.C. § 3142 shall do so subject to the least  
3 restrictive conditions. 18 U.S.C. § 3142(c)(1)(B). The court may amend or change the conditions at  
4 any time. 18 U.S.C. § 3142(c)(3); *see United States v. Honeyman*, 470 F.2d 473, 474 (9th Cir.1972).  
5 Mr. Martinez submits that he has demonstrated his willingness to comply with this Court's orders  
6 and has done so successfully. Mr. Martinez is fully complaint with all conditions and continues to be  
7 seek full-time gainful employment.

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9 Pretrial Services Officer Samira Barlow and AUSA Kim Sokolich do not object to the above-  
10 mentioned further modification of the release condition related to travel. Accordingly, Mr. Martinez  
11 respectfully request that this Court enter an order modifying his pretrial release travel  
12 condition/restriction to allow him to travel out of the State of Nevada with prior approval from  
13 Pretrial Services.

14 Dated this 20<sup>th</sup> day of September 2022.  
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17 Respectfully submitted,

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19 /s/ Ivette Amelburu Maningo  
20 IVETTE AMELBURU MANINGO, ESQ  
Attorney for Enrique Martinez  
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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

CASE NO. 2:21-CR-00169-RFB-BNW

Plaintiff,

**ORDER**

vs.

ENRIQUE MARTINEZ,

Defendant.

The Court, finding good cause showing and with no objection by Pretrial Services or the Government, ORDERS that Defendant Enrique Martinez's pretrial release orders be modified to allow him to travel out of the State of Nevada with prior approval from Pretrial Services. All other current conditions shall remain in full force and effect.

DATED: September 22, 2022



Brenda Weksler  
United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I certify that I am an employee at THE LAW OFFICES OF IVETTE AMELBURU MANINGO and that on this 20<sup>th</sup> day of September 2022, I did cause a true copy of:

**DEFENDANT ENRIQUE MARTINEZ'S SECOND UNOPPOSED MOTION TO MODIFY CONDITIONS OF PRETRIAL RELEASE RELATED TO TRAVEL**

To be served via electronic service by the U.S. District Court CM/ECF system to the parties on the Electronic Filing system in this action.

By: /s/ Wildalia Coulson  
Employee of  
The Law Offices of Ivette Amelburu Maningo